



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,473	06/04/2001	David Northway	PALM-3560	5316

7590 11/15/2005

WAGNER, MURABITO & HAO LLP
Two North Market Street, Third Floor
San Jose, CA 95113

EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT	PAPER NUMBER
----------	--------------

2677

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,473

Applicant(s)

NORTHWAY ET AL.

Examiner

Kimnhung Nguyen

Art Unit

2677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE and Amendment filed on 10/12/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This application has been examined. The claims 1-29 are pending. The examination results are as following.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/12/05 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claim 1, lines 13-14, “ displaying a third set of text on said front side in replacement of said first set of text” is not supported in the specification.

Art Unit: 2677

In claim 13, lines 17-18, “displaying a third set of text on said front side in replacement of said first set of text” is not supported in the specification.

In claim 25, lines 14-17, “a third set of data on said first facing side of said display device of said portable viewing and computing apparatus in replacement of said first set of data” is not supported in the specification. See MPEP 2173.05(i), Negative Limitations.

The specification does mention “To advance to a page 3, rotating PVACA 2001 in a right-to-left motion is repeated, and so on to the end of the document” on page 25, lines 20-21. However, the specification does not disclose “displaying a third set of text on said front side in replacement of said first set of text” or “a third set of data on said first facing side of said display device of said portable viewing and computing apparatus in replacement of said first set of data” as claims 1, 13 and 25.

For examining the claims on merit, examiner will consider the claim languages without the limitations “displaying a third set of text on said front side in replacement of said first set of text” or “a third set of data on said first facing side of said display device of said portable viewing and computing apparatus in replacement of said first set of data”.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2677

5. Claims 1-6, 9, 12, 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higginbotham et al. (US 5,896,575) in view of Lebby et al. (US 5,534,888).

Regarding claim 1, Higginbotham et al. discloses in figures 1 and 8 a portable viewing and computing apparatus comprising a bus; a memory (810) coupled to the bus for storing data and instructions, a processor (808) coupled to bus for processing data and instruction, a display device (114) coupled to the bus and comprising a viewing panel viewable from a front side (118, figure 2) and a back side (116, figure 1), wherein the front and back sides have a fixed orientation (see fig. 2, see col. 4, lines 28-40) with respect to each other and wherein a first set of text (118, figure 2) is displayable on the front side and a second set of text (116, figure 1, see abstract) is displayable on the back side; and a display device controller (see processing system 806) coupled to the bus display device controller coupled to the bus and for sensing orientation of said display device because the display 114 is viewable from the first and second sides 116, 118, see column 4, lines 28-40).

However, Higginbotham et al. does not disclose a first text is displayable on said front side and a second set of text is sequential to the first set of text, and in response thereto for displaying a third set of text on said front side wherein the third set of text is sequential to said second set of text.

Lebby et al. discloses in figures 2-3, and 4-5, a electronic book (101, 301, 460) having a first text is displayable on said front side and a second set of text is sequential to the first set of text (see a first page is display on display 450, and second page is display on display 451 and subsequently reads the second page on 451, figure 4, column 5, lines 17-21), and in response

Art Unit: 2677

thereto for displaying a third set of text on the front side wherein the third set of text is sequential to the second set of text (see move the textual material to a third and four page which is displayed on display 450 and 451 respectively column 5, lines 17-24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teaching of using a first text is displayable on the front side, and a second set of text is sequential to the first set of text, and in response thereto for displaying a third set of text on said front side, wherein the third set of text is sequential to said second set of text as taught by Lebby et al. into the system of Higginbotham et al. having viewable from a front side and back side because this would provide to the user to read through all the textual material (see Lebby, see col. 5, lines 24-25).

Regarding claims 2-4, and 25, Higginbotham et al. discloses further the display device controller is also for render data because it applied to a graphic display, see display having "MESSAGE" can be render black or other color (see figures 1-2, column 3, lines 18-20), stored in the memory (810, figure 8), viewable on the front side of said of the said display device when said front side is in a forward facing orientation relative to the user or viable on said back side of the display device when back side is in a forward facing orientation, relative to a user (see figures 1-2), and therefore, it cause rendering of first, second and third data on a first, second, third faces side of the portable and computing apparatus, and wherein the first facing side and the second facing side are different sides of the display device of the portable viewing and computing apparatus.

However, Higginbotham et al. does not disclose the second set of data is sequential to the first set of data and the third set of data is sequential to the second set of data.

Art Unit: 2677

Lebby et al. discloses a second set of data is sequential to the first set of data and the third set of data is sequential to the second set of data as discussed above.

Regarding claim 5, Lebby et al. discloses further the display device controller senses and responds to the rotation of said display device as discussed above, such that a rotation of the display device in a direction causes said display device, such that a rotation of said display device in a direction causes said display device controller to render data thereon a forward facing side, and a rotation in opposition to said direction causes said display device controller to an inherent re-render data previous rendered thereon a forward facing side.

Regarding claims 6, 9 and 29, Higgibotham et al. discloses further the data stored in the memory is of an amount greater than can be display on a single side of said display device, because the total data stored into the two sides of display system always less than or equal the data stored in the main memory, therefore, the data stored in the memory is of an amount greater than display on a single side of the display device. The portable viewing and computer system comprising an inherent data storage device adapted to receive SD (secure digital) cards and MMC (multimedia card and memory sticks).

Regarding claim 12, Higgibotham et al. discloses the portable and computing apparatus, wherein the display device is transparent or the display device of the portable viewing and computing apparatus is transparent (see figure 3, column 3, lines 17-18, and see figure 3, display 14 comprising two transparent 306, see column 2, lines 54-67).

Art Unit: 2677

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Higginbotham et al. (US patent 5,896,575) in view of Lebby et al. (5,534,888) and further in view of Moon (US patent 6,275,376).

Higginbotham et al. and Lebby et al. discloses a portable viewing and computing apparatus comprising a viewing panel viewable from a front side and back side as discussed in claim 1 above.

However, Higginbotham et al. and Lebby et al. do not disclose the rotation of the display device is about a vertical axis and about a horizontal axis. Moon discloses in figures 1A-1B, a portable electronic device that rotates about vertical axis (21) and horizontal axis (23) (see column 5, lines 61-67 and column 6, lines 1-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using rotation of the display device is about a vertical axis and about a horizontal axis as taught by Moon into the a portable viewing and computing apparatus of Higginbotham et al. and Lebby et al. because this would help the user to open or close the portable computer and allow the display cover can turn any direction.

7. Claims 8, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higginbotham et al. (US patent 5,896,575) in view of Lebby et al. (US 5,534,888) further in view of Borgstrom et al. (US patent 6,593,908).

Higginbotham et al. and Lebby et al. discloses a portable viewing and computing apparatus comprising a viewing panel viewable from a front side and back side as discussed in claim 1 above.

Art Unit: 2677

However, Higginbotham et al. and Lebby et al. does not disclose the system comprising a communication device including a wireless modem and also is Bluetooth enabled and coupled to the bus and to the computing apparatus.

Borgstrom et al. discloses in figure 1, a system comprising communication device having wireless modem and also Bluetooth (see a pen is sent by a short range radio transmitter in the electronic pen 10, see local wireless radio link supported by Ericson's Bluetooth, and sent to a PDA, see Borgstrom et al., see column 4, lines 48-57 and column 6, lines 65-67, and see column 7, lines 1-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using communication device is wireless modem and also Bluetooth modem as taught by Borgstrom et al. into the portable viewing and computing apparatus of Higginbotham et al. because this would provide to the user can get information via an appropriate link, such as a cellular air interface, to a base station or other network node.

8. Claims 13-18, 20, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higginbotham et al. (US patent 5,896,575) in view of Lebby et al. (US 5,534,888) further in view of Register (US patent 5,673,170).

Regarding claim 13, Higginbotham et al. discloses a system of portable computer comprising a palmtop computer system comprising a receive slot configured with a first hinge interface connector (106) disposed therein; and a portable viewing and computing apparatus comprising a bus a bus; a memory (810) coupled to the bus for storing data and instructions, a processor (808) coupled to bus for processing said data and instruction, a display device (114)

Art Unit: 2677

coupled to the bus and comprising a view panel viewable from a front side (116, figure 1) and a back side (118, figure 2). Leby et al. discloses a first text is displayable on said front side and a second set of text is sequential to said first set of text (see a first page is display on display 450, and second page is display on display 451 and subsequently reads the second page on 451, figure 4, column 5, lines 17-21), and display controller for sensing orient and rotation of said display device and for displaying a third set of text on said front side wherein said third set of text is sequential to said second text as discussed above.

However, Higginbotham et al. and Leby et al. do not disclose a second hinge interface connector adapted to provide communicative coupling of said portable viewing and computing apparatus with said palmtop computer system, the second hinge interface connector is inserted in the receiving slot of palmtop computer system. Register discloses in figure 4 a display system comprising a first hinge (20) rotates to the axis (25) and a second hinge also rotates on the second axis (48 or vertical axis). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using the second hinge rotating about second axis as taught into the portable computer of Higginbotham et al. and Leby et al. because this would provide to the user with multiple views of the display image.

Regarding claims 14-16, Higginbotham et al. discloses the display device controller is also for render data because it applied to a graphic display, see display having "MESSAGE" can be render black or other color (see figures 1-2, column 3, lines 18-20), stored in the memory (810, figure 8), viewable on the front side of said of the said display device when said front side is in a forward facing orientation relative to the user or viable on said back side of the display device when back side is in a forward facing orientation, relative to a user (see figures 1-2).

Regarding claim 20, Higginbotham et al discloses the portable viewing and computer system comprising an inherent data storage device adapted to receive SD (secure digital) cards and MMC (multimedia card and memory sticks).

Regarding claims 17 and 26, Higginbotham et al. does not disclose the display device controller senses and responds to the rotation of said display device.

Lebby et al. discloses further the display device controller senses and responds to the rotation of the display device as discussed above, such that a rotation of said display device in a direction causes said display device, such that a rotation of said display device in a direction causes the display device controller to render data thereon a forward facing side, and a rotation in opposition to said direction causes the display device controller to an inherent re-render data previous rendered thereon a forward facing side.

Regarding claim 18, Higginbotham et al. discloses the data stored in the memory is of an amount greater than can be display on a single side of said display device, because the total data stored into the two sides of display system always less than or equal the data stored in the main memory, therefore, the data stored in the memory is of an amount greater than display on a single side of the display device.

Regarding claim 24, Higginbotham et al. discloses the portable and computing apparatus, wherein the display device is transparent or the display device of the portable viewing and

Art Unit: 2677

computing apparatus is transparent (see figure 3, column 3, lines 17-18, and see figure 3, display 14 comprising two transparent 306, see column 2, lines 54-67).

9. Claims 19, 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higginbotham et al. (US patent 5,896,575) in view of Leby et al. (US 5,534,888), and in view of Register (US patent 5,673,170) as applied to claim 13 above, further in view of Moon (US patent 6,275,376).

Higginbotham et al., Leby et al. and Register disclose a system display comprising a first and a second hinge as discussed above in claim 13.

However, they do not disclose wherein said rotation of the display device is about a vertical axis and about a horizontal axis.

Moon discloses in figures 1A-1B, a portable electronic device is rotate about vertical axis (21) and horizontal axis (23) (see column 5, lines 61-67 and column 6, lines 1-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using rotation of the display device is about a vertical axis and about a horizontal axis as taught by Moon into the a portable viewing and computing apparatus of Higginbotham et al. Leby et al. and Register because this would provide to the user to open or close and turn any direction of the portable computer.

10. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higginbotham et al. (US patent 5,896,575) in view of Leby (US 5,534,888) and in view of

Art Unit: 2677

Register (US patent 5,673,170) as applied to claim 13 above, further in view of Borgstrom et al. (US patent 6,593,908).

Higginbotham et al. Lebbby et al. and Register disclose a portable viewing and computing apparatus comprising a viewing panel viewable from a front side and back side and two hinges as discussed in claim 13 above.

However, Higginbotham et al., Lebbby et al. and Register do not disclose the system comprising a communication device is wireless modem and also is Bluetooth enabled coupled to the bus and to the portable view and computing apparatus. Borgstrom et al. discloses in figure 1, a system comprising communication device is wireless modem and also is Bluetooth (see a pen is sent by a short range radio transmitter in the electronic pen 10, see local wireless radio link supported by Ericson's Bluetooth, and sent to a PDA, see column 4, lines 48-57 and column 6, lines 65-67, and see column 7, lines 1-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using communication device is wireless modem and also is Bluetooth modem as taught by Borgstrom et al. into the portable viewing and computing apparatus of Higginbotham et al., Lebbby et al. and Register because this would provide to the user can get information via an appropriate link, such as a cellular air interface, to a base station or other network node (see Borgs, see col. 7, lines 1-13).

Correspondence

Art Unit: 2677

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen
November 3, 2005

AMR A. AWAD
PRIMARY EXAMINER
Amr A. Awad